

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

VETTER MOORE,	:	
Plaintiff	:	
	:	
vs.	:	CIVIL NO. 1:CV-05-0167
	:	
WARDEN SMITH,	:	(Judge Caldwell)
Defendant	:	(Magistrate Judge Smyser)

O R D E R

AND NOW, this 27th day of February, 2006, upon consideration of the report (doc. 74) of the magistrate judge, filed January 20, 2006, to which no objections were filed, and upon independent review of the record, it is ordered that:

1. The magistrate judge's report is adopted.
2. The motion to dismiss of defendant, Warden Smith (doc. 51) is denied.
3. Plaintiff's motions (doc. 55, 59, 67, 68 and 69) for preliminary injunctive relief are denied.
4. This matter is remanded to the magistrate judge for further proceedings.

/s/William W. Caldwell
William W. Caldwell
United States District Judge